

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MARIANNA LANDS and CHARLES  
WILLIAM PAYNTER,

Plaintiffs,

vs.

No. CIV 23-0869 JB/JFR

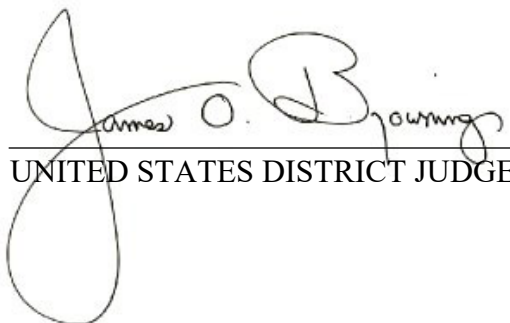
FEDERAL EMERGENCY MANAGEMENT  
AGENCY; DEANNE CRISWELL, as  
Administrator of FEMA; and ANGELA  
GLADWELL,

Defendants.

**FINAL JUDGMENT**

**THIS MATTER** comes before the Court on the Memorandum Opinion and Order, filed December 17, 2024 (Doc. 59)(“MOO”). In the MOO, the Court: (i) holds unlawful and sets aside the Defendant Federal Emergency Management Agency’s Hermit’s Peak/Calf Canyon Fire Assistance Regulation, 44 C.F.R § 296.21; and (ii) compels FEMA to award noneconomic damages for injuries resulting from the Hermit’s Peak/Calf Canyon Fire. See MOO at 1-2, 95-97. The Court enters, pursuant to rule 58(a) of the Federal Rules of Civil Procedure, Final Judgment, disposing of this case.

**IT IS ORDERED** that: (i) the Federal Emergency Management Agency’s Hermit’s Peak/Calf Canyon Fire Assistance Regulation, 44 C.F.R. § 296.21, is unlawful and is set aside; (ii) FEMA must award noneconomic damages for injuries resulting from the Hermit’s Peak/Calf Canyon Fire; and (iii) Final Judgment is entered.

  
UNITED STATES DISTRICT JUDGE

*Counsel:*

Thomas Tosdal  
Tosdal Law Firm  
Solana Beach, California

-- and --

Ty Tosdal  
Tosdal APC  
San Diego, California

*Attorneys for Plaintiff Marianna Lands*

Thomas Tosdal  
Tosdal Law Firm  
Solana Beach, California

-- and --

Ty Tosdal  
Tosdal APC  
San Diego, California

-- and --

Mark Dow  
Cynthia Weisman  
Bauman & Dow, P.C.  
Albuquerque, New Mexico

*Attorneys for Plaintiff Charles William Paynter*

Alexander M.M. Uballez  
United States Attorney  
Brett Eaton  
Nicholas Sydow  
Assistant United States Attorneys  
United States Attorney's Office  
Albuquerque, New Mexico

*Attorneys for Defendants*